

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

STEVE HERNANDEZ,

Petitioner,

vs.

No. CIV-10-562 MV/WDS

**MIKE HEREDIA, Warden,
and GARY K. KING,
Attorney General for the
State of New Mexico,**

Respondents.

ORDER TO SHOW CAUSE

This matter is before the Court *sua sponte*. The record reflects that a recent mailing to Applicant was returned undelivered, and the file contains no other address for him. It appears that Applicant has been released from custody or transferred without advising the Court of his new address, as required by D.N.M.LR-Civ 83.6, and has therefore severed contact with the Court. Applicant's failure to comply with the Court's local rules demonstrates a manifest lack of interest in litigating his claims. *See Martinez v. Internal Revenue Service*, 744 F.2d 71, 73 (10th Cir. 1984); *Link v. Wabash R.R. Co.*, 370 U.S. 626, 629-30 (1962); *Oklahoma Publishing Co. v. Powell*, No. 78-1856, 1980 WL 6687, at *2 (10th Cir. Mar. 7, 1980). Applicant will be required to show cause why this case should not be dismissed. Failure to respond may result in dismissal without further notice.

IT IS THEREFORE ORDERED that, within twenty one (21) days from entry of this order

Applicant shall file a response showing cause why his application should not be dismissed; the Clerk is directed to mail this order to Applicant at the most recent address in the file.

A handwritten signature in black ink, appearing to read 'W.D. Smith', is written above a horizontal line.

UNITED STATES MAGISTRATE JUDGE